

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

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Attorneys for Defendant
LAWRENCE LIVERMORE NATIONAL
SECURITY, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY TOTARO,

Plaintiff,

vs.

LAWRENCE LIVERMORE NATIONAL
SECURITY, LLC,

Defendant.

No.: 11-cv-05446-EDL

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Compl. Filed: October 31, 2011

Honorable Phyllis J. Hamilton

1 Subject to the approval of this Court, plaintiff Anthony Totaro (“Plaintiff”) and defendant
 2 Lawrence Livermore National Security, LLC (“Defendant”) hereby submit this stipulation
 3 respectfully requesting that this Court reschedule the parties’ Case Management Conference
 4 (“CMC”).

5 WHEREAS, a CMC is currently scheduled in the above-captioned matter for February 23,
 6 2012, at 2:00 p.m., in Courtroom 3, 3rd Floor, Federal Building, 1301 Clay Street, Oakland,
 7 California.

8 WHEREAS, this Court’s January 20, 2012 Order Setting Case Management Conference
 9 [Doc #19] states that “[a]ny request to reschedule the date of the conference shall be made in
 10 writing, and by stipulation if possible, at least ten (10) days before the date of the conference and
 11 must be based upon good cause.”

12 WHEREAS, lead counsel for Defendant, Jesse L. Miller, will be appearing in person before
 13 the United States District Court for the Middle District of Tennessee on February 23, 2012 for oral
 14 argument on a motion for summary judgment and, therefore, will be unavailable to appear in person
 15 or by telephone for the above-referenced CMC.

16 WHEREAS, counsel for Plaintiff and Defendant jointly request and stipulate to continue the
 17 CMC from February 23, 2012 to February 28, 2012, or until such later date as the Court’s calendar
 18 permits in Courtroom 3. The parties will lodge a joint CMC statement not less than seven (7) days
 19 before the CMC.

20 WHEREAS counsel for Plaintiff and Defendant previously stipulated to an extension of time
 21 for Defendant to file a responsive pleading to Plaintiff’s Complaint. [Doc. 10.]

22 WHEREAS the continuance of the parties’ CMC will affect the Federal Rule of Civil
 23 Procedure 16(f) meet and confer deadline by the same number of days as the continuance. In
 24 addition, the continuance will affect the deadline by which (7 days before the CMC) the parties’
 25 joint CMC statement must be filed.

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27 ///

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THE PARTIES THEREFORE STIPULATE AS FOLLOWS:

The parties agree to continue the CMC from February 23, 2012 to February 28, 2012, or until such later date as the Court's calendar permits in Courtroom 3.

DATED: January 25, 2012.

By _____ s/ Thomas G. Jarrard

Thomas G. Jarrard

Attorney for Plaintiff

ANTHONY TOTARO

DATED: January 25, 2012.

REED SMITH LLP

By _____ s/ Jennifer R. Fearnow

Jennifer R. Fearnow

Attorneys for Defendant

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Case Management
March 1, 2012
Conference currently scheduled on February 23, 2012 is continued to ~~February~~ March 1, 2012 at _____
~~a.m./p.m.~~ in Courtroom 3.

Dated: 2/1/12

Hon. Phyllis J. Hamilton
United States District Court



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